IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.410 OF 2006
WITH
CIVIL APPLICATION NO.498 OF 2006

Mrs.Namrata Rajesh Mehta. ..Appellant.

V/s.

Municipal Corpn. of Gr.Mumbai. ..Respondent.

Mr.D.C.Shah h/f A.M.Saraogi for appellant.

Mrs. Geeta Joglekar for BMC.

CORAM: A.M.KHANWILKAR,J

DATE : JUNE 16, 2006.

P.C. :

1. Heard.There is no reason to interfere with the impugned order passed by the Court below. No fault can be found with the opinion recorded by the Court below that the order of the High Court is silent about the stay granted in favour of the plaintiff as was claimed before the trial Court. To say the least, it is a case of mis-statement of fact made before the Court below. The trial Court has not precipitated the matter. Be that as it may, the Notice of Motion was made returnable on 10th June, 2006. I am informed that the same has now been adjourned to 20th July, 2006. The trial Court may proceed to decide the said Notice of Motion at the

earliest, not later than 15th August, 2006.

2. It is made clear that no interim relief is granted to the appellant in the present proceedings.

3. Appeal as well as civil application disposed of on the above terms.